

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

KYRA SAMONE SPEIGHTS,
Plaintiff

v.

AUTOZONE PARTS, INC.,
Defendant

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Case No. 1:20-CV-1151-LY

ORDER

Before the Court is Non-Party the Custodian of Records for the Travis County Wellness and Health Clinic’s (“Movant”) Objections and Motion to Quash, filed June 3, 2021 (Dkt. 18). The District Court referred the motion and related filings to the undersigned for resolution, pursuant to 28 U.S.C. § 636(b)(i)(A), Federal Rule of Civil Procedure 72, and Rule 1(c) of Appendix C of the Local Rules of the United States District Court for the Western District of Texas, as amended (“Local Rules”). Dkt. 21.

On May 21, 2021, Plaintiff Kyra Samone Speights served a subpoena duces tecum on Movant requesting Plaintiff’s medical records from 2010 to the present. Dkt. 18-1. Movant objects to the subpoena to the extent that it seeks medical information without providing the necessary Health Insurance Portability and Accountability Act (“HIPAA”) compliant release. Plaintiff did not respond to the Motion.

Under Local Rule CV-7(d)(2), responses to non-dispositive motions are due within seven days after the motion is filed; if no response is timely filed, the court may grant the motion as unopposed. Plaintiff did not respond to Movant’s Motion by the deadline. Accordingly, the Court **GRANTS** Movant’s Objections and Motion to Quash (Dkt. 18) as unopposed pursuant to Local Rule CV-7(d)(2).

IT IS FURTHER ORDERED that this case be removed from the Magistrate Court's docket and returned to the docket of the Honorable Lee Yeakel.

SIGNED on August 12, 2021.



SUSAN HIGHTOWER
UNITED STATES MAGISTRATE JUDGE